

**ALLEGED SHIPMENT:** On or about May 18, 1945, from the State of Missouri into the State of California.

**PRODUCT:** The *Starke Inhalant* consisted of a brown liquid containing, chiefly, water, alcohol, glycerin, guaiacol, oil of eucalyptus, menthol, and free iodine. It was accompanied by a glass device designed to enable the user to inhale vapors from the liquid.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the labels of the articles and in a booklet entitled "Facts About Starke Inhalant and the Starke Inhaler," which was enclosed in packages containing the articles, were false and misleading since they represented and suggested that the articles would be effective in the prevention and treatment of sinusitis, bronchitis, influenza, pneumonia, tonsillitis, bronchial asthma, la grippe, nasal catarrh, whooping cough, rose cold, and hay fever; and that the vapors of the inhalant would be capable of destroying germs in the nose, throat, and chest. The articles would not be effective for the purposes represented.

Further misbranding, Section 502 (b) (2), the label on the carton containing the inhalant failed to bear a statement of the quantity of the contents; and, Section 502 (e) (2), it failed to bear the common or usual name of each active ingredient of the inhalant.

**DISPOSITION:** April 18, 1946. A plea of nolo contendere having been entered, the court imposed a fine of \$25.

**1929. Misbranding of electric bulbs. U. S. v. 11 Electric Bulbs and 35 Circulars and 2 Display Cards. Default decree of condemnation and destruction. (F. D. C. No. 16671. Sample No. 27022-H.)**

**LABEL FILED:** July 11, 1945, District of Montana.

**ALLEGED SHIPMENT:** By the U. S. Hospital Supply Co., from Minneapolis, Minn. The bulbs were shipped on or about June 7, 1945, and the circulars and display cards were shipped on or about November 18, 1944.

**PRODUCT:** 11 unlabeled *electric bulbs* at Helena, Mont., together with 35 circulars entitled "A New Scientific Development" and 2 display cards entitled "Now! Deep Infra-Red Ray From Any Light Socket." The electric bulbs were made of ruby glass, partially silvered on the inside, and were designed to produce heat.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the following statements in the labeling were false and misleading since they represented and implied that the article would be an adequate treatment for the conditions named, whereas the only therapeutic function of the article would be the production of heat, and heat does not constitute an adequate treatment for such conditions: (Circular and placard) "Prostatic Troubles Sprains \* \* \* Sinus trouble Neuralgia Rheumatism Lumbago Neuritis Pleurisy Pneumonia Tonsillitis Influenza Arthritis Bronchitis Catarrh Asthma Fractures Womens ailments Deafness Ear Trouble Skin diseases Torticollis Boils when open Cholecystitis Endocarditis Low red blood count To Raise Lowered Vitality To Improve Nervous System To Relieve Pain \* \* \* To Improve Circulation To Promote Absorption of Exudate To Increase Red Blood Count And many others"; (placard) "For superficial conditions, such as infections, acute inflammations \* \* \* deep-seated lesions \* \* \* for general systematic treatment \* \* \* tends to induce active circulation."

**DISPOSITION:** September 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product and printed matter were ordered destroyed.

**1930. Misbranding of Vrilium Catalytic Barium Chloride. U. S. v. 5 Tubes of Vrilium Catalytic Barium Chloride, and a number of labels and leaflets. Default decree of condemnation. Product ordered delivered to the Food and Drug Administration. (F. D. C. No. 19702. Sample No. 15878-H.)**

**LABEL FILED:** April 24, 1946, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about December 11, 1945, by Dr. Raymond C. Kistler, from Chicago, Ill.

**PRODUCT:** 5 tubes of *Vrilium Catalytic Barium Chloride* at Wyandotte, Mich., together with 5 labels reading, in part, "Vrilium Catalytic Barium Chloride in combination with slight quantities of other elements," and 5 leaflets entitled "General Directions." Examination showed that the product was a small metal pencil-shaped tube containing a glass vial of a white granular

substance. Tests of a sample showed that it was entirely devoid of radioactivity (emanations).

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the leaflets were false and misleading since they represented and suggested that the article would be effective to give forth emanations having physiological value; and that it would be effective in the treatment of conditions involving the sinuses, bronchial tubes, thyroid, low red blood corpuscle count, injuries, burns, and illness in general. The article would not be effective for such purposes.

**DISPOSITION:** June 10, 1946. No claimant having appeared, judgment of condemnation was entered and the product and printed matter were ordered delivered to the Food and Drug Administration.

**1931. Misbranding of Burns' Cuboids. U. S. v. 1,235 Pairs of Burns' Cuboids, and a number of circulars, leaflets, and display cards. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13323. Sample No. 69412-F.)**

**LIBEL FILED:** August 15, 1944, District of Colorado.

**ALLEGED SHIPMENT:** By the Burns Cuboid Co., from Santa Ana, Calif. The product was shipped at various times, including May 31, 1944, and the leaflets and display cards were shipped at various times, including June 3, 1944.

**PRODUCT:** 1,235 pairs of *Burns' Cuboids* at Denver, Colo., together with a number of circulars entitled "Balance! The Modern Way to Foot Relief," a number of leaflets entitled "In Foot Relief It's Modern Science \* \* \* That Makes Cuboid Foot Balancers The Leader," and a number of placards entitled "The Modern Way to Foot Relief." This product was a device to be worn in the shoe like an innersole. It consisted of 3 pressed cork pads, one on each side and one near the front. They were covered on the top with smooth leather and on the bottom with suede leather.

**LABEL, IN PART:** (Carton) "Cuboids For Foot Relief and Comfort \* \* \* for redistributing Body Weight Aid in Making the Sole of Your Shoe fit the Sole of your Foot. \* \* \* Balances the body weight."

**NATURE OF CHARGE:** Misbranding, Section 502 (a) certain statements on the carton labels and in the circulars, leaflets, and placards, together with designs of the feet in the circulars, were false and misleading. The statements and designs represented and suggested that the article would afford foot relief and comfort; that it would redistribute and balance body weight; and that it would help one to walk correctly and comfortably. They further represented and suggested that the article would be efficacious in the treatment of weak, aching feet; that it would relieve strain and fatigue; that it would relieve pressure on the metatarsals; that it would aid circulation and relieve nerve tension; that it would aid posture and strengthen weak arches; that it would exercise, tone, and strengthen flabby foot muscles; and that it would correct weak and inrolling feet and swollen feet and ankles. The article would not fulfill the promises of benefit stated and implied by the statements and designs.

**DISPOSITION:** On September 29, 1944, the Burns Cuboid Co. having appeared as claimant, the case was ordered removed to the Northern District of California, pursuant to stipulation between the Government and the claimant. On May 2, 1945, the claimant having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the circulars, leaflets, and display cards be destroyed.

**1932. Misbranding of E-Z-Lax. U. S. v. 10 Cases of E-Z-Lax and 3 Circulars. Default decree of destruction. (F. D. C. No. 19765. Sample No. 51503-H.)**

**LIBEL FILED:** May 11, 1946, District of Minnesota.

**ALLEGED SHIPMENT:** By Worthington Foods, Inc., from Worthington, Ohio. The product was shipped on or about January 3, February 10, and March 22, 1946, and the circulars were shipped on or about February 1, 1946.

**PRODUCT:** 10 cases, each containing 12 10-ounce jars, of *E-Z-Lax* at St. Paul, Minn., together with 3 circulars entitled "Enjoy Life at Its Fullest." Examination showed that the product had essentially the composition indicated on its label.

**LABEL, IN PART:** "E-Z-Lax Contains Psyllium Gum, Lactose, Dextrin, Lemon Flavor and Dicalcium Phosphate."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the circulars were false and misleading since they represented and suggested that